# THE REGULAR MEETING OF THE BLUE GRASS CITY COUNCIL BLUE GRASS, IOWA JUNE 18, 2018

The Blue Grass City Council met in regular session at 7:00 p.m. on the 18<sup>th</sup> day of June 2018, in the City Council Chambers of City Hall, 114 N. Mississippi Street, pursuant to law, with Mayor Pro Tem Brad Schutte presiding, with the Pledge of Allegiance and a moment of reflection. The following Council members were present: Emilyne Slagle, Bonnie Strong, Brad Schutte and Donna Kinzer. Absent was Council member Lisa Smith.

**APPROVAL OF AGENDA:** Council member Slagle moved to approve the agenda as presented, seconded by Council member Strong. A roll call vote was taken: Slagle-aye, Strong-aye, Kinzer-aye and Schuttenay. Motion carried.

MAYORAL COMMENTS: Mayor Pro Tem Schutte announced the following: "We would like to welcome all of you to your Blue Grass City Council meeting. We hope the meeting will be informative and beneficial. We do ask that you silence your cell phones and/or pagers. We want to hear from you but we ask that you wait to be recognized. Please state your name and address and make your comments brief. In an effort to keep the meeting on task, please limit your comments or concerns to several minutes. Please allow the person speaking to finish uninterrupted. Thank you".

**PUBLIC FORUM:** From those in attendance, there were none.

**CONSENT AGENDA:** The Clerk gave a brief overview of the FY '17-'18 year-end financials of the Tax Increment Financing Reserve. Council member Strong made a motion to approve the consent agenda as presented, seconded by Council member Kinzer:

- 1. Motion to approve the minutes of the June 4, 2018 City Council meeting
- 2. Motion to approve the minutes of the June 7, 2018 Committee of the Whole meeting
- 3. Motion to approve the minutes of the June 11, 2018 Special City Council meeting
- 4. Motion to adopt Resolution 2018-26 ref: authorizing payment from the Cemetery Reserve Fund
- 5. Motion to adopt Resolution 2018-27 ref: authorizing a Tax Increment Rebate to the City of Blue Grass
- 6. Motion to adopt Resolution 2018-28 ref: authorizing a transfer from the accumulated Tax Increment Financing Reserve
- 7. Motion to adopt Resolution 2018-29 ref: authorizing a Tax Increment Rebate payment to Grunwald Land Development, LLC
- 8. Motion to adopt Resolution 2018-31 ref: authorizing a transfer from the Local Option Sales Tax to the General Fund
- 9. Motion to approve the March 2018 Clerk's Report, additional bills paid and revenue received 10. Payment of claims

A roll call was taken: Strong-aye, Kinzer-aye, Slagle-aye and Schutte-nay. Motion carried.

**PARK BOARD:** Park Board Chair Mike Hermann gave the Park Board report as follows:

11. Park Board Report: Chair Hermann referred to the May 16, 2018 meeting minutes reporting that the Board has been very busy in the planning stages of the upcoming Ragbrai. Council expressed several safety concerns on the Ragbrai route being changed to route riders to travel on Highway 61. Chief Jahns reported that he would be discussing this issue with the Sheriff. Council member Strong reported that according to the Ragbrai Committee had also expressed safety concerns on the bikers traveling on Highway 61 after they completed their Ragbrai route ride but said that it was up to the Iowa Department of Transportation to change the route. Chair Hermann reviewed the Board's participation in coordinating community involvement selling beverages during the Ragbrai event.

## **POLICE DEPARTMENT:** Chief Jahns reported the following:

- 12. Police Department Report: The May 2018 Police Department Report consisted of the following: 100 traffic contacts with 63 warnings and 51 citations written; Blue Grass Officers responded to a total of 234 incident calls for service during the month and 14 arrests. Chief Jahns further expounded on his monthly report reporting that the dangerous animal was abated by the owners; gave a brief overview of the activing during the month commending the part-time Officers and Officer Guinn for stepping up and maintaining the Department while he was away for two weeks. Mayor Pro Tem Schutte expressed concerns on whether the Blue Grass Officer that responded to an accident scene that recently took place was dispatched or whether he took it upon himself to go to the scene as there were already five other Officer's from other entities at the scene. Chief Jahns agreed to follow up on whether the Officer was dispatched or not.
- 13. Purchase of unmarked squad car: Chief Jahns presented a quote from Green Buick GMC in the amount of \$7,686.00 to purchase a 2011 Chevrolet Impala. He said that there would additional expenses such as insurance which was estimated at approximately \$587.00 a year, window tinting and outfitted with interior lights and siren. Discussion was held. Chief Jahns said that this vehicle purchase would come from his Police Squad and Equipment Reserve and would only be used for surveillance. Council member Strong moved to approve the purchase of a 2011 Chevrolet Impala from Green Buick GMC in the amount of \$7,686.00 to be purchased after July 1, 2018, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye, Slagle-aye and Schutte-nay. Motion carried.
- **14. Police Training:** Chief Jahns reported that he would like to start prepping his Officers for future promotions and send an Officer to an upcoming 1<sup>st</sup> Line Advisory School which is a 35 hour course which starts July 16, 2018. He said that the Department had budgeted \$1,500.00 in the new FY '18-'19 budget for training costs. Chief Jahns said that after he reviewed the class with Officer Guinn, he agreed to help offset some of the costs and pay for his lodging, breakfast and dinners. Council member Slagle moved to approve sending Officer Guinn to the 1<sup>st</sup> Line Advisory School, seconded by Council member Strong. A roll call vote was taken: Slagle-aye, Strong-aye, Schutte-nay and Kinzer-aye. Motion carried.

#### LICENSING & RENEWAL(S):

15. Liquor License ref: Blue Grass Community Club Outdoor Service Area 5-day Permit: The Clerk reported that the Alcoholic Beverage Division had forwarded the Outdoor Service Area Permit request to the City for Local Jurisdiction Approval adding that the 5-day Permit was for the July 28, 2018 Ragbrai event. Chief Jahns reported no issues with the permit request. Council member Strong moved to approve the Blue Grass Community Club's Outdoor Service Area 5-day Permit, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye, Schutte-aye and Slagle-aye. Motion carried.

# **ORDINANCE(S)/RESOLUTION(S):**

**16. DRAFT:** Resolution 2018-25 ref: vacating the platted trail in reference to the West Scott County Business Park: Mayor Pro Tem Schutte referred to a memo prepared by the Clerk asking for clarification if whether the Council wanted to just vacate the platted trail along West Mayne Street and exclude the platted trail designated on South Oak Lane. He reminded the Council that they had included a 5 foot bike trail when they approved the Mayne Street resurfacing project so that the property owners would not have to bear the costs to construct their portion of the Blue Grass Trail. Discussion was held on the Blue Grass Trail's route that was drafted several years ago by the Trail Committee. The Clerk informed the Council that according to Chapter 16.28.070 when a subdivision is platted, the developer is required to dedicate at least five percent of said land within the subdivision for public recreational purposes; whereas, if a trail is platted the Developer is responsible for the construction and costs of such designated trail. It was the consensus of the Council to prepare the Resolution for adoption at the next

Council meeting as drafted which includes the entire platted trail within the West Scott County Business Park.

17. First reading of Ordinance Amendment 2018-03 ref: Chapter 12 Streets and Sidewalks: Council member Strong questioned the placement of the Amendment being included in Chapter 12.18 Protection of Streets. Discussion was held on placement of the Amendment and it was the consensus to leave as drafted. Council member Strong introduced the first reading of Ordinance Amendment 2018-03. Council member Strong moved to accept the first reading of Ordinance Amendment 2018-03, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye, Schutte-aye and Slagle-aye. Motion carried.

#### PLANNING & ZONING COMMISSION:

**18. John Wulf's First Addition – Preliminary & Final Plat:** Previously, the City Council held a public hearing at the request from Mr. John Wulf on May 21, 2018 to subdivide approximately 13 acres zoned A-2 Agricultural District into 2 lots; however, due to the fact that Mr. Wulf had not submitted all the required legal documents, the City Council tabled John Wulf's First Addition Preliminary and Final Plat until he had met those requirements.

The Clerk reported that although Mr. Wulf had addressed the City Engineer's requirements, the City has only received two of the eight items that are required; therefore, recommended that the Council take no action at this time. Council unanimously agreed to leave the Preliminary and Final Plat of John Wulf's First Addition tabled until the City has successfully received the required legal documents and that they are approved by the City Attorney.

#### **NUISANCE ABATEMENT(S):**

**19.** Nuisance Abatement(s): The Clerk reported that a resident had complained about an in ground pool that has been neglected and that the noise from the frogs was becoming a nuisance. Discussion was held.

### POLICY AND ADMINISTRATION:

20. Chapter 5.08 ref: Peddlers, Solicitors and Transient Merchants – extending hours for firework sales: Mayor Pro Tem Schutte reported that when he first noticed that a fireworks tent and signs were set up which was approximately two weeks ago, he immediately contacted the Fire Chief, Police Chief, City Clerk, Public Works Director and Mayor who were all unaware of the fireworks stand as apparently no one contacted City Hall or the Fire Department; therefore, he sent Officer Guinn over to verify that they were not selling fireworks and to inform the owner that they had to contact City Hall and the Fire Chief before selling fireworks. He said that Officer Guinn reported that the tent was empty and that the gentleman setting up the stand was under the assumption that he was not in Blue Grass' jurisdiction. The Clerk reported that the owner had come to City Hall with all the required paperwork indicating that his hours were Sunday through Saturday 10:00 a.m. to 8:30 p.m. at which time she referred to Chapter 5.08 License and Fees, Section (B) which designates the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, no weekend days or holidays. She said that he asked what he had to do for the City to adhere to his hours; otherwise, he would have to reapply through the State which would delay the issuance of his permit. The Clerk said she then contacted the City Attorney who advised that she place on the meeting Agenda for the Council to review and if they chose to extend the hours they could temporarily do so. Mayor Pro Tem Schutte stated that he was not in favor of altering the hours just for the sale of fireworks and recommended that the Council follow Chapter 5.08. Council member Kinzer agreed as there were close proximities to Blue Grass to purchase fireworks. Council expressed concerns on why the owners never contacted City Hall; therefore, the consensus was to follow the Ordinance and not temporarily alter the hours.

21. Clerk's Report: City Clerk Ann Schmidt reported the following for the month of May 2018 as follows: 136 accounts were assessed a \$5.00 late fee penalty; 9 delinquent letters were sent out totaling \$1,061.58 that were due May 29, 2018 reporting that all were paid within the time prescribed with the exception of 3 accounts reporting that liens are scheduled to be placed after 30 days delinquent; billing period of 04/24/18 to 05/23/18 billed a total of \$27,720.62 and a total of \$4,406.78 in the arrears; 704 bills produced; 192 ACH residents enrolled; reviewed the list of outstanding Street Assessments, Sidewalk Assessments, Snow Removal Liens and Utility Liens; reminded the Council that Sanitation Rates will increase effective July 1, 2018 to \$13.50 per dwelling unit; published Ordinance Amendments 2018-01 and 2018-02 as required reporting that both Amendments will go into effect on June 11, 2018; have had several conversations with Ragbrai Committee member Wayne Beck as the Committee has been making progress; prepared a DRAFT Ordinance Amendment in reference to Ragbrai but after Council discussion, this Amendment may be prepared as a Resolution – waiting instructions; in regards to the North Mississippi Street Rehabilitation Construction Project: continuously receiving emails from the doc.express from both the IDOT and McClure Engineering; prepared a Resolution approving Pay Request #3; in the process of preparing pay requests to the IDOT so the City can be reimbursed for payments 1, 2 and 3; in regards to the Sycamore Street Light grant the City received in 2015, the IDOT reported that apparently the City never received their 5% retainage; therefore, paperwork was given to the City Engineer to complete and was sent in; Website Upgrade: met with Jim Schmedding from the Bi-State Regional Commission as they are in the process of upgrading the City's website and are in the beginning stages of meeting cities to gather information of what everyone would like to see on their websites; met with the vendors of the fireworks stand that are currently set up off East Telegraph Road as they submitted copies of their licenses to sell fireworks which was then submitted to both the Fire Chief and the City Attorney; however, according to Chapter 5.04 Business Licenses and Regulations the hours set are not applicable in this type of sales; therefore, the City Attorney advised that the Clerk add to the meeting agenda so that the Council can review and discuss at which time they can either temporarily extend the hours to accommodate the sale of fireworks or adhere to the hours defined in the Ordinance; drafted a Resolution on vacating the Trail Moratorium; worked in conjunction with the Police Chief on drafting letters in regards to a Junk Vehicle Ordinance and a Dangerous Animal Violation; received a request for a hearing on the dangerous animal; therefore, prepared a hearing for the Council and after the Council denied the appeal, drafted an Order to Remove letter and which was personally served to the resident by the Police Department; the Mayor and herself met with Mr. Egolf as he is proposing to voluntarily annex his farm (approx. 143 acres) into the City limits; however, he is still undecided; prepared and sent a thank you letter to Mr. & Mrs. Moses for their volunteerism on the welcome signs; sent Cigarette Permit Renewal letters to all the licensees and after Council approved, prepared Cigarette Permit Renewal Licenses to all the businesses selling cigarettes and emailed copies of the Permits to the State of Iowa as required; submitted the City's budget amendment for FY '17-'18 to both the Muscatine County and Scott County Auditors as the deadline for filing was May 31, 2018; prepared an Amendment for Council review on adding a restriction and penalty to those that mow grass clippings onto the City Streets under Chapter 12 Streets and Sidewalks; beginning stages of completing the City's 2020 census LUCA (local update census address) data; still awaiting the required final plat documents from Mr. John Wulf for his Preliminary and Final Plat; prepared correspondence and Agendas for both the Committee of the Whole meeting and Special meeting and typed the minutes accordingly; finalized Ms. Marlow's paperwork as she signed an Affidavit affirming that her only source of income was what she provided and agreeing to pay the 10% and presented another low-to-moderate assistance application from a resident on East Lotte Street to have repairs done to his roof to the Council; after Council approval telephoned the applicant and typed an Affidavit for him to sign agreeing to pay the 10%; still unable to access the reads; therefore, IAWC is sending a file with all the reads and they are being manually entered; however, Roberta is finally getting an individual at IAWC to give her beginning & ending reads on new and moving out residents; prepared Resolutions for FY '17-'18

year-end such as a transfer from the Local Option Sales to the General Fund and authorizing a payment from the Cemetery Fund; calculated the TAX rebate payments to the City and Grunwald Land Development and prepared Resolutions authorizing such payments; prepared a Resolution to set the wages beginning July 1, 2018 and ending June 30, 2019 as required and after it is adopted, the Resolution is required to be published; prepared the March 2018 Clerk's Report, additional bills paid and revenue received and presented the April 2018 Utility Billing reconciliation report.

**COMMENTS AND FUTURE AGENDA ITEMS:** Resident Mark Wakefield informed the Council that Iowa American Water Company notated on their last water bill that there would be a rate increase for all customers with the exception of Blue Grass customers.

Mayor Pro Tem Schutte reported that he was contacted by the Public Works Director late that afternoon that apparently the mower he wanted to trade off had a switch break that morning and after replacing, that very same afternoon experienced transmission issues and had to loaded up on a trailer informing the Council that there are going to be repair costs to fix it.

**RECESS:** Council member Strong moved to take a 5-minute recess, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye, Schutte-aye and Slagle-aye. Motion carried. The meeting recessed at 8:10 p.m.

Council member Strong moved to return from recess, seconded by Council member Slagle. A roll call vote was taken: Strong-aye, Slagle-aye, Schutte-aye and Kinzer-aye. Motion carried. The meeting reconvened at 8:15 p.m.

#### **EMPLOYEE RELATION COMMITTEE:**

22. Strategy Session: Bargaining Session ref: CLOSED SESSION, Code of Iowa, Section 20.17 (3): Mayor Pro Tem Schutte referred to the Code of Iowa, Section 20.17 (3), stating that the City Council would be going into executive closed session. Council member Strong moved to close the regular meeting and go into closed session, seconded by Council member Kinzer. A roll call vote was taken: Strong-aye, Kinzer-aye, Slagle-aye and Schutte-aye. Motion carried. The regular meeting was closed at 8:15 p.m.

Council member Kinzer moved to reopen the regular meeting, seconded by Council member Slagle. A roll call vote was taken: Kinzer-aye, Slagle-aye, Schutte-aye and Strong-aye. Motion carried. The regular meeting was reopened at 8:25 p.m.

At the time the meeting was reconvened; there was no one present.

- 23. Motion to reconsider approving the Union Contract to exclude employees hired after 7-1-18 will be required to pay \$50.00 per pay period insurance deduction: Council member Kinzer moved to reconsider and withdraw the Council's previous request to require that all new hires hired after 7-1-18 be required to pay \$50.00 per pay period insurance deduction in the Chauffers, Teamsters and Helpers Local Union No. 238 Agreement for Municipal Works and Police Officers beginning July 1, 2018 and ending June 30, 2021, seconded by Council member Slagle. A roll call vote was taken: Kinzer-aye, Slagle-aye, Strong-aye and Schutte-nay. Motion carried.
- **24.** Strategy Session: Clerk's Contract ref: CLOSED SESSION, Code of Iowa, Section 20.17 (3): Mayor Pro Tem Schutte referred to the Code of Iowa, Section 20.17 (3), stating that the City Council would be going into executive closed session. Council member Strong moved to close the regular meeting and go into closed session, seconded by Council member Schutte. A roll call vote was taken: Strong-aye, Schutte-aye, Slagle-aye, and Kinzer-aye. Motion carried. The regular meeting was closed at 8:26 p.m.

Council member Strong moved to reopen the regular meeting, seconded by Council member Slagle. A roll call vote was taken: Strong-aye, Slagle-aye, Schutte-aye and Kinzer-aye. Motion carried. The regular meeting was reopened at 8:31 p.m.

At the time the meeting was reconvened; there was no one present.

Attest: Ann M. Schmidt, CMC, City Clerk/Financial Officer

Council member Strong moved to approve the Clerk's Contract beginning July 1, 2018 and expiring June 30, 2020 with the July 1, 2018 pay increase to be retroactive to January 1, 2018, seconded by Council member Slagle. A roll call vote was taken: Strong-aye, Slagle-ay, Kinzer-aye and Schutte-nay. Motion carried.

**ADJOURNMENT:** Council member Kinzer made a motion to adjourn, seconded by Council member Slagle. A roll call vote was taken: Kinzer-aye, Slagle-aye, Schutte-aye and Strong-aye. Motion carried. The meeting adjourned at 8:32 p.m.

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	Mayor Pro Tem Brad Schutte

**CLAIMS REPORT** 

CLAIIVIS INEI OINT		
AHERN FIRE PROTECTION	BLDG & GROUNDS MAINTENANCE	150.00
BABE'S TERMITE & PEST CONTROL	BLDG & GROUNDS MAINTENANCE	90.00
BLUE GRASS CEMETERY	DONATION	3,500.00
CASEY'S GENERAL STORES INC.	VEHICLE OPERATIONS	1,172.04
EASTERN IA LIGHT & POWER	UTILITIES	1,462.93
EASTERN IOWA TRAILERS	VEHICLE OPERATIONS	100.00
GUINN, BOB	TRAINING/TRAVEL	168.72
GRUNWALD LAND DEVELOPMENT	FY '17-'18 TIF REBATE PAYMENT	83,582.19
IA ASSO OF MUNI UTILITIES	PROFESSIONAL FEES	400.67
IMEG CORP.	ENGINEERING	3,929.40
IOWA ONE CALL	PROFESSIONAL FEES	69.30
IOWA STATE UNIVERSITY	TRAINING/TRAVEL/SAFETY	541.00
MEDIACOM LLC	INTERNET SERVICES	468.29
MIDAMERICAN ENERGY	UTILITIES	3,880.58
QC ANALYTICAL SERVICES LLC	TESTING	2,384.12
QUAD CITY TIMES	ADVERTISING & PUBLICATIONS	182.43
REPUBLIC SERVICES #400	GARBAGE/RECYCLING	7,956.85
SCOTT COUNTY FAMILY Y	SUMMER PROGRAM YMCA	5,040.00
SCOTT COUNTY SHERIFF	JAIL EXPENSES	300.00
TROPHY SHOPPE	OPERATING SUPPLIES	18.21
WATCHGUARD VIDEO	<b>EQUIPMENT OPERATIONS</b>	1,105.00
***** REPORT TOTAL *****		116,501.73

# **FUND TOTALS**

GENERAL FUND	12,603.63
RESERVE: CEMETERY FUND	3,500.00
RESERVE: PARK IMPROV FUND	2,310.00
TAX INCREMENT FINANCING	83,582.19
SEWER FUND	6,549.06
SANITATION FUND	7,956.85
FUND TOTALS:	116,501.73

# **ADDITIONAL BILLS PAID – MARCH 2018**

PAYROLL	23,452.45
B.G. SAVINGS (FEDERAL/FICA/MEDICARE W/H)	7,222.78
TREASURER, STATE OF IOWA (STATE W/H)	1,371.00
IPERS (PENSION W/H)	4,960.06
AMERICO (457 PLAN W/H)	200.00
TEAMSTERS-UNION DUES	150.24
CENTRAL STATES INSURANCE-EMPLOYEE CONTR	440.00
COLLECTION SERVICES (EMPLOYEE W/H)	300.00
BLUE GRASS POSTMASTER-POSTAGE	362.38
TREASURER, STATE OF IOWA-SEWER SALES TAX	330.00
AMAZON MARKET PLACE-BLDG & GROUNDS MAINTENANCE	30.01
HOSTWAY-OFFICE OPERATIONS	5.95
WALMART-BLDG & GROUNDS MAINTENANCE	61.11
TOTAL:	38,885.98

# **FUND TOTALS**

GENERAL	31,627.74
ROAD USE	2,476.68
SEWER FUND	4,684.12
SANITATION FUND	97.44
FUND TOTALS:	38,885.98

# **REVENUES RECEIVED - MARCH 2018**

GENERAL FUND	22,867.25
FIRE TOWNSHIP FUND	4.72
RESERVES: PUBLIC SAFETY BLDG.	2.66
RESERVES: POLICE DEPT.	89.00
ROAD USE FUND	12,931.17
LOCAL OPTION SALES TAX FUND	30,649.44
EMPLOYEE BENEFITS FUND	13,642.03
TAX INCREMENT FINANCING	16,408.50
MONEY MARKET RESERVE	1,276.62
WATER FUND	70.51
SEWER FUND	21,627.61
SANITATION FUND	7,329.00
TOTAL:	126,898.51